

In The United States
District Court For The Southern
District of Illinois

United States of America
Plaintiff
v.

criminal no: 19-cr-40081-JPG

Donald V. Snowden
Defendant

Motion For release Pending
Sentence for The following
reasons.

P. 1 of 5

on April 14th, 2022, a jury verdict returned a guilty verdict on a conspiracy to distribute and a distribution of methamphetamine. Appeal rights are reserved. On April 14th, 2022 the seventh circuit court of appeals stated that I didn't file the appropriate motion for bond, and recommended I file the appropriate motion, and adhere to rules 8, 9, and 27 of the Federal Rules of Appellate Procedure and circuit rules 8 and 9. This is from an order in regards to appeal no. 22-1619. Attorney Paul Sims told me to file that bond motion, which wasn't the right one to file so I don't know why he done that other than to

P. 2 OF 5

make me look bad to the appellate court.

There are several reasons to be released pending Sentence. The First reason is to work on Sentence considerations to receive an appropriate Sentence before Appeal. Another reason is maybe to work on negotiations when my civil lawsuit is remanded back to the District court. I told Paul Sims to wait for trial so I can do something with the lawsuit so there were no inconsistencies, but he said the government was ready "all or nothing". I can also do programs while awaiting sentencing such as programs in the halfway house, but not limited to. I've been in the County jail and there's no school programs, no job training, no counselling, just nothing. There's no alcohol or drug classes, nothing to help with sentencing factors. I've been in the county jail close to 3 years of doing nothing to help rehabilitate myself in the areas needed. I've been on bond in the past, and turned myself in to sentencing on February 6th, 2013 on a 4 year sentence to the Illinois Department of corrections. When I was released on February 6th 2015, I completed 90 days halfway house and house arrest in Marion, Illinois centerstone. I also completed Parole Successfully. I was not on Parole or probation when the crime was committed. I have no open cases pending. On August 2nd, DEA and Carbondale Police

P. 3 of 5

officers released me back to society after the drug purchase on August 1st. No other charges came about from then until September 12th when I was arrested on this case. No witnesses were threatened or intimidated, I did not flee the area, I did not commit other crimes. Those 40 days should be taken into consideration. It should be treated as being out on bond. I have strong ties to the community. Six brothers and sisters in Carbondale, IL. Seven of my ten children lives in Carbondale, IL and Herrin, IL. One daughter in DuQuoin, IL, one granddaughter in DuQuoin, and one granddaughter in the Murphysboro, IL area, and one grand son in Carbondale, IL. I won't never leave them and put myself in a position to not ever see them again. I won't miss any court dates. I will do programs and work on sentence considerations. In Swanquist 125 F.3d 573, 575-576 (7th Cir. 1997) A recitation of the statutory language "devoid of any discussion analysis, or explanation as to why the district court concluded that the criteria for release had not been met" cannot justify detention even after conviction, when the presumption of innocence has been extinguished. Judge must weigh factors listed in 18 U.S.C. 3142(g) A defendant charged with a serious drug crime, is subject to a rebuttable

P. 4 of 5

presumption that there are no conditions that will assure his appearance and the safety of the community. Id. ss 3142(E)(3)(A) This places a light burden of production on the defendant, but the burden of persuasion always rest with the government, and an unrebutted presumption is not by itself, an adequate reason to order detention. *U.S. v. Dominguez*, 783 F.2d 702, 706-07 7th Cir. 1986
 I can do house arrest, with GPS monitoring to assure my whereabouts and curfew. I can do a halfway house, and program there, and get a job. I can report to Probation daily with drug and alcohol testing. I can also be released to the custody of my mother who will supervise me and report any violations of conditions of release. I will comply with all conditions of release. I have an associate Degree, 2 construction vocational trades, one vocational trade in Horticulture, and a total of close to 140 college credits. I have programs helping with letters and recommendations to the judge for Sentencing also. I will not miss court, and I also have the civil lawsuit that will require me to show up for court. I hope this court takes this motion for release pending sentencing in consideration. I will not be a danger or Flight risk with the stipulations mentioned and comply with the conditions of release. I need to get my affairs in order, I have kids and grandkids.

P. 4 of 5

presumption that there are no conditions that will assure his appearance and the safety of the community. Id. ss 3142(E)(3)(A) This places a light burden of production on the defendant, but the burden of persuasion always rest with the government, and an unrebutted presumption is not by itself, an adequate reason to order detention. *U.S. v. Dominguez*, 783 F.2d 702, 706-07 7th Cir. 1986

I can do house arrest, with GPS monitoring to assure my whereabouts and curfew. I can do a halfway house, and program there, and get a job. I can report to Probation daily with drug and alcohol testing. I can also be released to the custody of my mother who will supervise me and report any violations of conditions of release. I will comply with all conditions of release. I have an associate Degree, 2 construction vocational trades, one vocational trade in Horticulture, and a total of close to 140 college credits. I have programs helping with letters and recommendations to the judge for Sentencing also. I will not miss court, and I also have the civil lawsuit that will require me to show up for court. I hope this court takes this motion for release pending sentencing in consideration. I will not be a danger or Flight risk with the stipulations mentioned and comply with the conditions of release. I need to get my affairs in order, I have kids and grandkids.

p. 5 of 5

Certificate of Service

I, Donald V. Snowden, hereby certify,
that I mailed with paid postage, a motion for
release pending sentence, to the clerk of court, U.S.

District Court

301 W. Main St. Benton, IL 62812, on April 20, 2022

Clerk

U.S. District Court

301 W. Main St.

Benton, IL 62812

Donald V. Snowden

Donald V. Snowden

1001 Mulberry St.

Murphysboro, IL

62966

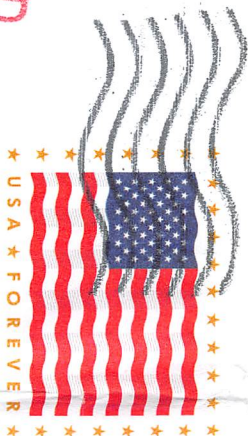
Donald W. Snowden
1001 Mulberry St.
Murfreesboro, IL 62966

Legal
Mail

SAINT LOUIS, MO 63103

22 APR 2022 6PM 6 L

MAIL CLEARED
US MARSHALS



Clerk

U.S. District Court

301 W. Main St

Benton, IL 62812

INMATE MAIL

62812-136201



"Legal mail"

"Legal mail"

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

APR 25 2022

RECEIVED



THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT

© USPS 2019